

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RUSSELL STEWART, )  
                        )  
Plaintiffs,         )      Civ. No. 04-1200-SLR  
                        )  
v.                    )  
                        )  
STATE OF DELAWARE, \_\_\_\_\_)  
DEPARTMENT OF PUBLIC SAFETY, \_\_\_\_)  
CAPITOL POLICE, \_\_\_\_\_)  
\_\_\_\_\_  
Defendant \_\_\_\_\_)

NOTICE OF MOTION

PLEASE TAKE NOTICE that the undersigned attorney will present the attached Motion  
to Request a New Scheduling Order at a time convenient to Court and Counsel.

/s/ R. Stokes Nolte

R. Stokes Nolte, Esquire  
De. State Bar I.D. No.: 2301  
Nolte & Associates  
1010 N. Bancroft Parkway  
Suite 21  
Wilmington, DE 19805  
(302) 777-1700  
Attorney for Russell Stewart

Date: \_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RUSSELL STEWART, )  
                        )  
                        )  
Plaintiff,           ) Civ. No. 04-1200-SLR  
                        )  
                        )  
v.                     )  
                        )  
STATE OF DELAWARE, )  
DEPARTMENT OF PUBLIC SAFETY, )  
CAPITOL POLICE        )  
                        )  
                        )  
Defendant.           )

MOTION TO REQUEST A NEW SCHEDULING ORDER

\_\_\_\_ COMES NOW, Russell Stewart, plaintiff by and through his attorney, R. Stokes Nolte, and files this motion to request a new scheduling order, and as grounds therefor shows:

1. Plaintiff retained attorney's services on Friday, March 11, 2005, prior to that plaintiff was unrepresented.
2. The Honorable Court entered a scheduling order in this matter in November 2004. That order contains a discovery cut off of March 31, 2005.
3. In order to allow Plaintiff's attorney to adequately prepare discovery in the case, and allow time to respond to defendant's discovery, Plaintiff requests a new scheduling order.

**WHEREFORE**, Movant requests that the Court, after due notice and hearing, order a new scheduling order.

/s/ R. Stokes Nolte

R. Stokes Nolte, Esquire  
De. State Bar I.D. No.: 2301  
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Suite 21  
Wilmington, DE 19805  
(302) 777-1700  
Attorney for Russell Stewart

Date: 3/30/05

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RUSSELL STEWART, )  
                        )  
Plaintiff,           ) Civ. No. 04-1200-SLR  
                        )  
v.                    )  
                        )  
STATE OF DELAWARE, )  
DEPARTMENT OF PUBLIC SAFETY, )  
CAPITOL POLICE       )  
                        )  
Defendant.           )

ORDER

**ON THIS** the \_\_\_\_\_ day of \_\_\_\_\_, 2005,

having considered the above motion

IT IS ORDERED that:

1.     The above motion is granted and the following scheduling order is issued:

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
J.

